

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

AMY RODENBERG,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

ORDER

13-cv-365-jdp

On November 6, 2013, plaintiff Amy Rodenberg filed a motion under 42 U.S.C. § 405(g), seeking review of the defendant commissioner's final decision that she was not disabled. On August 26, 2014, following full briefing by the parties, the court entered judgment in favor of the commissioner. Plaintiff appealed. While the appeal was pending, counsel filed a joint motion under Fed. R. Civ. P. 62.1(1)(3), seeking an indication from this court that it would be inclined to grant relief from the August 26, 2014 judgment should the court of appeals remand the case for that purpose. On February 18, 2015, this court entered such an order. On March 16, 2015, the court of appeals remanded the case under Fed. R. App. P. 12.1 and Cir. R. 57 for a ruling on counsel's joint motion for judgment reversing the commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remanding the case to the commissioner. The motion will be granted.

On remand, an administrative law judge will: (1) further evaluate the claimant's obesity and specify its effect on the claimant's residual functional capacity (RFC); (2) further evaluate the opinion evidence and the claimant's RFC and subjective complaints; and (3) obtain supplemental vocational expert evidence to further evaluate whether the claimant can perform other work.

ORDER

IT IS ORDERED that the decision of the Acting Commissioner of Social Security in this case is REVERSED and the case is REMANDED to the commissioner.

Entered: March 18, 2015.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge